

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
KATHERINE A. TANAKA  
3 Assistant Federal Public Defender  
Nevada State Bar No. 14655  
4 411 E. Bonneville, Ste. 250  
Las Vegas, Nevada 89101  
5 (702) 388-6577/Phone  
(702) 388-6261/Fax  
6 Katherine\_Tanaka@fd.org  
7 Attorney for Kelsey Alexandra Penrod

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 KELSEY ALEXANDRA PENROD,  
15 Defendant.

Case No. 2:18-mj-607-GWF

**STIPULATION TO CONTINUE**  
**BENCH TRIAL**  
(First Request)

16  
17 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.  
18 Trutanich, United States Attorney, and Christopher Burton, Assistant United States Attorney,  
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,  
20 and Katherine A. Tanaka, Assistant Federal Public Defender, counsel for Kelsey Alexandra  
21 Penrod, that the bench trial currently scheduled on May 8, 2019 at 9:00 am, be vacated and  
22 continued to a date and time convenient to the Court, but no sooner than thirty (30) days.

23 This Stipulation is entered into for the following reasons:

24 1. Counsel for the defendant needs additional time to conduct investigation in this  
25 case in order to determine whether there are any pretrial issues that must be litigated and  
26 whether the case will ultimately go to trial or will be resolved through negotiations.

2. The parties also need additional time to reach a resolution.

3. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code § 3161(h)(7)(B)(iv).

This is the first request for a continuance of the bench trial.

DATED this 25<sup>th</sup> day of April, 2019.

RENE L. VALLADARES  
Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

*/s/ Katherine A. Tanaka*  
By \_\_\_\_\_

*/s/ Christopher Burton*  
By \_\_\_\_\_

KATHERINE A. TANAKA  
Assistant Federal Public Defender

CHRISTOPHER BURTON  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KELSEY ALEXANDRA PENROD,

Defendant.

Case No. 2:18-mj-607-GWF

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The parties also need additional time to reach a resolution.

3. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

This is the first request for a continuance of the bench trial.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, § 316(h)(7)(B)(iv).

IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday, May 8, 2019, at 9:00 a.m., be vacated and continued to June 12, 2019 at the hour of 9:00 a. .m.

George Foley Jr.  
UNITED STATES MAGISTRATE JUDGE